

REMARKS

As a preliminary matter, claim 1 is objected to based on the reasons set forth on page 2 of the present Office Action. Applicant amends claim 1, as indicated herein, and believes that the Examiner's objections to claim 1 are obviated.

Claims 1, 3-5, 7, and 8 are all the claims pending in the present application. The Examiner has established new grounds of rejection. Specifically, claims 1 and 5 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Benayoun et al. (US Patent No. 6,016,309). Claims 3, 4, 7 and 8 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Benayoun in view of Wu (U. S. Patent No. 6,219,378).

§102(e) Rejections (Benayoun) - Claims 1 and 5

Claims 1 and 5 are rejected based on the reasons set forth on pages 2-6 of the present Office Action.

With respect to independent claim 1, Applicant submits that Benayoun does not disclose or suggest at least, "wherein the timer controller performs the training process and controls the clock frequency of the timer each time the modem attempts a connection to the external modem," as recited in amended claim 1. To support the argument that the above-quoted feature is satisfied by Benayoun, the Examiner quotes (from Benayoun), "At the beginning of the transmission, the bits are serial transmitted on lead RXD. The control circuit waits for the start bit signal which has a low level and as soon as it is detected, it sends a synchronous signal SYNC to a timer (220) to synchronize the beginning of the bit counting," (line 54, column 2). In response, Applicant submits that Benayoun discloses that the beginning of the bit counting of the timer is synchronized every time the communication starts. In other words, only synchronization

of the bit counting is performed every time the communication starts, but control of the clock frequency is not performed every time. Since this feature is not taught or suggested by Benayoun, Applicant submits that Benayoun does not anticipate claim 1.

Applicant submits that independent claim 5 is patentable at least based on reasons similar to those set forth above with respect to claim 1.

§103(a) Rejections (Benayoun/Wu) - Claims 3, 4, 7, and 8

Applicant submits that dependent claims 3, 4, 7, and 8 are patentable at least by virtue of their respective dependencies from independent claims 1 and 5.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

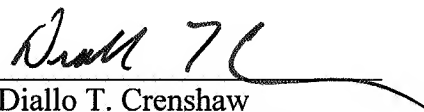
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